

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 2-3 and 5. Figures 9A and 9B are new. These sheets, which include Figs. 1-9B, replace the original sheets including Figs. 1-8.

Attachments: Replacement Sheets

New Sheet

REMARKS

Claims 1-7 will be pending upon entry of present amendment. Claims 1-7 are being amended. No new matter is being entered.

Applicant's attorney would like to inform the Examiner of co-pending Application Number 10/519,693, which contains similar subject matter, in order to provide full and complete disclosure.

Discussion of the Drawings:

Figures 2-3 and 5 were objected to because the black boxes were not descriptively labeled, and the drawings did not show every feature of the invention specified in the claims. As the Examiner requested, Figures 2-3 and 5 have been amended to descriptively label the black boxes and to indicate the features of the invention as specified in the claims. In particular, table 9/9 as originally filed with the application is used to label boxes 52-59 and steps S1-S11, S23-25, S27, S29-S30, and S33-S36. Figure 4 is being amended to label the three adjacent tracks (consistent with specification at page 26, lines 8-14).

Additionally, Figures 3 and 5 have been amended to include details specified in the claims. Figure 3 is being amended to label Steps S1 and S7 to provide clarity and indicate amplitude D2 and D3 as specified in the claims (consistent with specification at page 26, lines 1-5; page 28, lines 3-16). Figure 5 is being amended to label Step S25 to include jitter J0 and J1 and amplitude A0 and A1 of the signal as specified in the claims (consistent with specification at page 30, lines 21-28). Step S30 is also amended to include jitter J10 and amplitude A10 of the signal as specified in the claims (consistent with specification at page 31, lines 21-28).

New Figures 9A-9B is added to provide clarification for the features of the invention as specified in the claims and to clarify details of Figure 4. No new matter has been added. Eight sheets of drawings are presented herewith for approval.

Discussion of the Specification:

The specification is being amended to fix minor typographical errors and to provide consistent language in the entire application. In particular, labels for various variables are

amended to be consistent throughout the application. Reference to track numbers is also amended for consistency.

Discussion of the Abstract:

The abstract was objected to because it was longer than the allowable 500 words. The abstract is being amended to meet the requirements of MPEP §608.01(b).

Discussion of the Claims:

Claim 3 was objected to because claim 3 contained an informality. Applicants respectfully disagree with the Examiner's objection because line 7 and 10 of claim 3 did not recite the same track number. However, the recitation of the track numbers is being amended for consistency with the specification.

Claims 1-7 were rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement.

Claims 1-7 are being amended to provide consistent language with the specification as amended. In particular, labels for various variables are being amended to be consistent with the language of the entire application.

Applicants believe there is full support in the specifications for claims 1-7, as will now be explained. Reconsideration and withdrawal of the rejection is requested.

Support for the amended claim 1 is provided as follows:

The first step of "recording a first test signal in the data rewritable type optical recording medium while varying a level of the recording power of the laser beam" is supported by the description on page 32, lines 13 to 17 of the specification (Step S31).

The second step of "measuring, for each of the levels of the recording power of the laser beam, an amplitude A0 of a reproduced signal obtained by reproducing the first test signal before the first test signal is influenced by cross erasing of data, an, amplitude A1 and jitter J1 of a reproduced signal obtained by reproducing the first test signal after the first test signal was once influenced by cross erasing of data" is supported by the description on page 30, line 21 to page 31, line 8 of the specification (Steps S24 and S25).

The third step of “(measuring, for each of the levels of the recording power of the laser beam,) an amplitude A10 and jitter J10 of a reproduced signal obtained by reproducing the first test signal after an influence of cross erasing of data on the first test signal was saturated” is supported by the description on page 31, line 21 to page 32 line 12 of the specification (Steps S29 and S30).

The fourth step of “calculating a first parameter for each of the levels of the recording power as a function of a difference between the amplitude A0 of the reproduced signal obtained reproducing the first test signal before the first test signal is influenced by cross erasing of data and the amplitude A1 of the reproduced signal obtained by reproducing the first test signal after the first test signal was once influenced by cross erasing of data, calculating a second parameter for each of the levels of the recording power as a function of a difference between the amplitude A1 of the reproduced signal obtained by reproducing the first test signal after the first test signal was once influenced by cross erasing of data and the amplitude A10 of the reproduced signal obtained by reproducing the first test signal after the influence of cross erasing of data on the first test signal was saturated, calculating a third parameter as a function of a difference between jitter J10 of the reproduced signal obtained by reproducing the first test signal after the influence of cross erasing of data on the first test signal was saturated and jitter J1 of the reproduced signal obtained by reproducing the first test signal after the first test signal was once influenced by cross erasing of data” is supported by the description on page 32, line 24 to page 33, line 13 of the specification (Step S33).

The fifth step of “obtaining a value of the first parameter corresponding to a value of the second parameter when the third parameter is equal to a tolerance, thereby determining a critical parameter” is supported by the description on page 34, lines 6 to 17 of the specification.

The sixth step of “recording a second test signal in the data rewritable type optical recording medium while varying a level of the recording power of the laser beam” is supported by the description on page 25, line 24 to page 26, line 6 of the specification (Step S1).

The seventh step of “judging whether or not signal characteristics of a reproduced signal obtained by reproducing the second test signal recorded in the data rewritable type optical

recording medium satisfy reference conditions” is supported by the description on page 26, line 24 to page 27, line 10 of the specification (Steps S2, S3 and S4).

The eighth step of “measuring, for each of the levels of the recording power of the laser beam, when the signal characteristics of the reproduced signal obtained by reproducing the second test signal recorded in the data rewritable type optical recording medium satisfy the reference conditions, an amplitude D3 of the reproduced signal obtained by reproducing the second test signal before the second test signal is influenced by cross erasing of data and an amplitude D2 of the reproduced signal obtained by reproducing the second test signal after the first test signal was once influenced by cross erasing of data” is supported by the description on page 27, line 21 to page 28, line 16 of the specification (Steps S6 and S7),

The ninth step of “calculating a fourth parameter based on the amplitudes D3 and D2 of the reproduced signals obtained by reproducing the second test signals as a function of a difference between the amplitude D3 of the reproduced signal obtained by reproducing the second test signal before the second test signal is influenced by cross erasing of data and the amplitude D2 of the reproduced signal obtained by reproducing the second test signal after the first test signal was once influenced by cross erasing of data” is supported by the description on page 28, lines 17 to 21 of the specification (Step S8).

The tenth step of “comparing the critical parameter and the fourth parameter, and determining the recording power of the laser beam at which the fourth parameter was obtained as an optimum recording power when the fourth parameter is equal to or lower than the critical parameter” is supported by the description on page 28, line 22 to page 29, line 6 of the specification (Steps S9 and S10).

Similarly to the above, other Claims are also supported by the description of the specification. For example, the steps defined in Claim 2 are supported by the description on page 27, lines 11 to 20 (Step S5) and the steps defined in Claim 3 are supported by the description on page 32, lines 13 to 17 of the specification (Step S31).

Support for claims 4-7 is identical to support for claims 1-3.

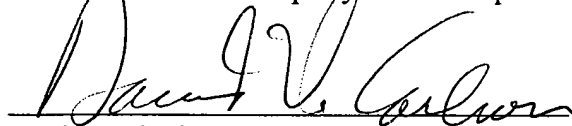
Accordingly, claims 1-7 are in condition for allowance.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

A handwritten signature in black ink, appearing to read "David V. Carlson", is written over a horizontal line.

David V. Carlson

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DVC:NB/jk

Enclosures:

7 Sheets of Replacement Drawings (Figures 1-8)

1 Sheet of New Drawings (Figures 9A-9B)

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